

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 02-80559

DELORES HERNANDEZ, et al.,

HONORABLE AVERN COHN

Defendants.

**ORDER DIRECTING DEFENDANT'S IMMEDIATE RELEASE
FROM THE BUREAU OF PRISONS' CUSTODY**

This is a criminal case. On September 3, 2003, the Court committed defendant Delores Hernandez (Hernandez) to the custody of the United States Bureau of Prisons for a term of sixty (60) months after Hernandez pleaded guilty to conspiracy to possess with intent to distribute pseudoephedrine, in violation of 21 U.S.C. §§ 841(c)(2) and 846.

The government subsequently filed a Motion for Reduction of Sentence under Fed. R. Crim. P. 35(b), asking the Court to reduce Hernandez's sentence for providing substantial assistance to the government. The Court on June 9, 2005, held a hearing on the motion and, pending the Court's decision, ordered Hernandez released on a \$10,000 unsecured bond. Additionally, because Hernandez is a necessary and material witness in this case, the Court on June 23, 2005, issued a Material Witness Warrant for her.

To date, Hernandez has not been released from the custody of the Bureau of Prisons. She remains incarcerated at the Wayne County, Michigan, Jail. This is unacceptable. Accordingly, the Court DIRECTS the Bureau of Prisons to release Hernandez forthwith in Detroit, Michigan. During her release, Hernandez shall be under the supervision of the Pretrial Services office, which may attach such reasonable conditions to her period of release as shall be appropriate to secure her presence as a witness.

SO ORDERED.

Dated: June 24, 2005

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was sent to counsel of record, the United States Marshal, FCI Dublin and Pretrial Services on this date, June 24, 2005, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160